

REMARKS

The below comments are in response to the Final Office Action mailed February 4, 2009 (“Final Action”) and the Advisory Office Action mailed May 27, 2009 (“Advisory Action”). Based on the above amendments and the following remarks, Applicants respectfully request reconsideration and allowance of the claims.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 3, 4, 6, 15, 17, 20, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,065,359 to Chuah et al. (“Chuah”) in view of U.S. PG PUB No. 2007/0002798 to Leung (“Leung”). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 6,154,652 to Park et al. (“Park”). Claims 5, 19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 5,513,246 to Jonsson (“Jonsson”). Claims 7-9, 12-13, 22, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 6,731,936 to Chen et al. (“Chen”). Claims 10, 11, 16, 18, 23, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. PG PUB No. 2003/0162535 to Nishiyama et al. (“Nishiyama”). Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 6,366,568 to Bolgiano et al. (“Bolgiano”). Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung and Jonsson, and further in view of Chen. Applicants respectfully traverse each of these rejections for at least the following reasons.

Claim 1 has been amended to incorporate some features of previous claim 2 and now recites: “wherein the first channel burst comprises timing information identifying a time period of a subsequent channel burst to be transmitted by the first base station” in combination with “if, based on the timing information, the measurements cannot be completed before receiving the subsequent channel burst: (i) suspending the obtaining of the measurements.” In the rejection, the Action noted that the combination of Chuah and Leung do not disclose the elements of previous claim 2, and hence amended claim 1 now further defines over the combination. In the rejection of previous claim 2, the Action relied on Park at Figure 2, column 5, lines 39-45, and column 2, lines 19-67 to remedy the deficiency in the Chuah/Leung combination.

The citations of Park do not disclose suspending obtaining of signal quality measurements if, based on timing information of a received channel burst, the measurements cannot be completed before receiving a subsequent channel burst. Rather, the citations to Park disclose two methods of performing a handoff procedure from a current base station upon detection of a signal from an adjacent base station. The first method, described with reference to Figure 2, reproduced below, discloses transmission over a frame cycle T .

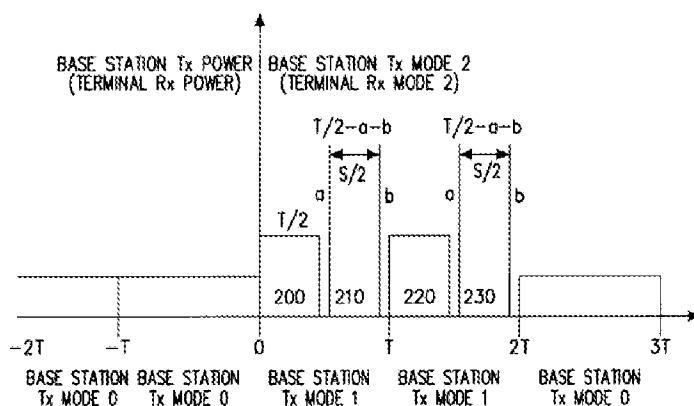


FIG. 2

During a handoff, in the leading half cycle $T/2$ of the frame cycle T , the base station “transmits the data at a double data rate, and stops transmitting data for the following half cycle $T/2$.” See Park, C2, L49-53. The “terminal searches for the adjacent base station, to which the terminal is to be handed off, for the following half cycle $T/2$.” *Id.* at C2, L59-61. Park discloses that when a “signal is detected from the adjacent base station, the cellular terminal is handed off to the

adjacent base station.” *Id.* at C3, L12-15. Park indicates that, “upon failure to detect the signal transmitted from the adjacent base station . . . , the terminal . . . receive[s] the data for the following half cycle $T/2$ of the next frame cycle.” *Id.* at C3, L17-20. Thus, in the first method, the cellular terminal of Park alternates between receiving data in the first half and searching for an adjacent base station in the second half of the frame cycle until a signal from the adjacent base station is detected. The second method of Park is similar to the first method, but “when the mobile communication system fails to end the handoff procedure in the following non-transmission interval of the first frame, it continues to perform the handoff procedure in the leading interval of the succeeding second frame, instead of transmitting the data.” *Id.* at C5, L37-47. Thus, Park discloses searching for a signal from an adjacent base station, where the search can be interrupted by a data transmission in a subsequent frame or can continue into the leading interval of the succeeding frame.

Searching for a signal from an adjacent base station that can be interrupted by a data transmission, as in Park, does not disclose the claimed suspension. For instance, in Fig. 2, Park does not indicate that the data transmitted by the base station during the leading half cycle $T/2$ of the frame cycle T includes “timing information identifying a time period of a subsequent channel burst to be transmitted by the first base station.” As such, Park necessarily also fails to disclose “if, based on the timing information, the measurements cannot be completed before receiving the subsequent channel burst: (i) suspending the obtaining of the measurements.” Therefore, the combination of Chuah, Leung, and Park, even if proper, fails to teach all of the elements recited in amended claim 1. Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be withdrawn and submit that claim 1 is in condition for allowance.

Independent claims 20, 25, and 27 are allowable for at least reasons analogous to those given in support of claim 1. The pending claims that respectively depend on claims 1, 20, 25, and 27 are allowable due to their dependence on an allowable base claim, in addition to the features they recite.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,
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